

### **Title 3—The President**

Since these events, the Cuban government has not demonstrated that it will refrain from the future use of reckless and excessive force against U.S. vessels or aircraft that may engage in memorial activities or peaceful protest north of Cuba. On February 26, 2004, by Proclamation 7757, the scope of the national emergency was expanded in order to deny monetary and material support to the repressive Cuban government, which had taken a series of steps to destabilize relations with the United States, including threatening to abrogate the Migration Accords with the United States and to close the United States Interests Section. Further, Cuba's most senior officials repeatedly asserted that the United States intended to invade Cuba, despite explicit denials from the U.S. Secretaries of State and Defense that such action is planned. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Cuba and the emergency authority relating to the regulation of the anchorage and movement of vessels set out in Proclamation 6867 as amended and expanded by Proclamation 7757.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*January 15, 2009.*

#### **Notice of January 15, 2009**

#### **Continuation of the National Emergency with Respect to Terrorists Who Threaten to Disrupt the Middle East Peace Process**

On January 23, 1995, by Executive Order 12947, the President declared a national emergency pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of violence committed by foreign terrorists who threaten to disrupt the Middle East peace process. On August 20, 1998, by Executive Order 13099, the President modified the Annex to Executive Order 12947 to identify four additional persons, including Usama bin Laden, who threaten to disrupt the Middle East peace process.

Because these terrorist activities continue to threaten the Middle East peace process and to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on January 23, 1995, as expanded on August 20, 1998, and the measures adopted on those dates to deal with that emergency must continue in effect beyond January 23, 2009. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to foreign terrorists who threaten to disrupt the Middle East peace process.

### Other Presidential Documents

This notice shall be published in the *Federal Register* and transmitted to the Congress.

GEORGE W. BUSH

THE WHITE HOUSE,  
*January 15, 2009.*

#### Presidential Determination No. 2009–13 of January 16, 2009

### **Eligibility of the Southern African Development Community To Receive Defense Articles and Defense Services Under the Foreign Assistance Act of 1961, as Amended, and the Arms Export Control Act, as Amended**

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Constitution and the laws of the United States, including section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, as amended, I hereby find that the furnishing of defense articles and defense services to the Southern African Development Community will strengthen the security of the United States and promote world peace.

You are authorized and directed to transmit this determination to the Congress and to arrange for its publication in the *Federal Register*.

GEORGE W. BUSH

THE WHITE HOUSE,  
*Washington, January 16, 2009.*

#### Presidential Determination No. 2009–14 of January 16, 2009

### **Waiving the Prohibition on the Use of Economic Support Funds With Respect to Various Parties to the Rome Statute Establishing the International Criminal Court**

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 671(b) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (Division J, Public Law 110–161), I hereby:

- determine and report that it is important to the national interests of the United States to waive the prohibition of aforementioned section 671(a) with respect to Barbados, Bolivia, Costa Rica, Cyprus, Ecuador, Kenya, Mali, Mexico, Namibia, Niger, Paraguay, Peru, Samoa, South Africa, St. Vincent and the Grenadines, Tanzania, and Trinidad and Tobago; and